

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

WILLIAM CUTLIP,
Plaintiff,

v.

DEUTCHE BANK NATIONAL TRUST
COMPANY FOR THE HARBORVIEW
MORTGAGE LOAN TRUST PASS-
THROUGH CERTIFICATES 2007-7,
Defendant.

Case No. [15-cv-01345-BLF](#)

**ORDER STRIKING FILINGS;
REFERRING PLAINTIFF TO FLASH**

[Re: ECF 18, 19]

On April 2, 2015, *pro se* plaintiff William Cutlip filed a “Supplement to Complaint for Independent Action in Equity to Set Aside a Judgment.” ECF 18. On April 7, Plaintiff filed a “State of Facts in Support of Independent Action in Equity to Set Aside a Judgment.” ECF 19. It is unclear to the Court what Plaintiff seeks in either of these filings, and they are accordingly STRICKEN.

To the extent Plaintiff sought to amend his original complaint filed March 23, 2015, Plaintiff has the right to amend once as of right. Fed. R. Civ. P. 15(a)(1). If Plaintiff wishes to exercise that right now, he may file an amended complaint. Any amended complaint must be so labeled, may not incorporate other filings in this action by reference, must include all claims asserted by Plaintiff, and shall supersede and replace the prior complaint.

To the extent Plaintiff sought to obtain affirmative relief through his April 2 and April 7 filings, Plaintiff must comply with the requirements of Civil Local Rule 7 and this Court’s standing order with respect to motion practice. Plaintiff is advised that unless he can demonstrate that an *ex parte* motion is authorized by statute, Federal Rule, local rule, or standing order, and that he has complied with the applicable provisions allowing a party to approach the Court on an

1 *ex parte* basis, the Court is not inclined to hear motions before the defendant in this action is
2 served with summons. Civ. L.R. 7-10.

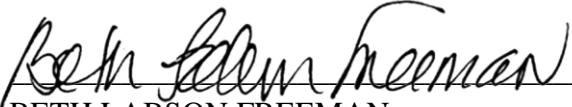
3 Finally, Plaintiff is advised that he may benefit from contacting the Federal Legal
4 Assistance Self-Help Center at the San Jose Courthouse (FLASH):

5 United States Courthouse
6 280 South 1st Street
7 2nd Floor, Room 2070
8 San Jose, CA 95113

9 Phone: 408-297-1480 or 408-293-4790

10 **IT IS SO ORDERED.**

11 Dated: April 7, 2015

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13 BETH LABSON FREEMAN
14 United States District Judge
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Northern District of California